

to prevent the spread of Johne's disease. The Administrator will promptly notify the State animal health officials of the States involved of any such action.

(c) *Cleaning and disinfecting.* Each means of conveyance used to transport the animals must be cleaned and disinfected in accordance with §71.6 of this chapter. The facilities in which the animals were maintained must be cleaned and disinfected in accordance with §71.7 of this chapter.

**§80.4 Segregation of animals positive to an official Johne's disease test during interstate movement.**

Animals that are positive to an official Johne's disease test may not be moved interstate in a railroad car, boat, truck, or other vehicle containing healthy animals susceptible to Johne's disease unless all of the animals are for immediate slaughter, or unless the positive animals are kept separate from the other animals by a partition that is securely affixed to the sides of the vehicle and prevents the transfer of fecal matter from the animals positive to an official Johne's disease test to the healthy animals in the vehicle.

**PART 81—CHRONIC WASTING DISEASE IN DEER, ELK, AND MOOSE**

Sec.

81.1 Definitions.

81.2 Identification of deer, elk, and moose in interstate commerce.

81.3 General restrictions.

81.4 Issuance of certificates.

AUTHORITY: 7 U.S.C. 8301-8317; 7 CFR 2.22, 2.80, and 371.4.

SOURCE: 71 FR 41705, July 21, 2006, unless otherwise noted.

EFFECTIVE DATE NOTE: At 71 FR 41705, July 21, 2006, part 81 was added, effective Oct. 19, 2006. At 71 FR 52983, Sept. 8, 2006, the effective date was delayed until further notice.

**§81.1 Definitions.**

*Animal.* Any farmed or captive deer, elk, or moose.

*Animal and Plant Health Inspection Service (APHIS).* The Animal and Plant Health Inspection Service of the United States Department of Agriculture.

*Animal identification.* A device or means of animal identification approved for use under this part by APHIS. Examples of animal identification devices that APHIS has approved are listed in §55.25 of this chapter.

*Animal identification number (AIN).* A numbering system for the official identification of individual animals in the United States. The AIN contains 15 digits, with the first 3 being the country code (840 for the United States), the alpha characters USA, or the numeric code assigned to the manufacturer of the identification device by the International Committee on Animal Recording.

*APHIS employee.* Any individual employed by the Animal and Plant Health Inspection Service who is authorized by the Administrator to do any work or perform any duty in connection with the control and eradication of disease.

*Cervid.* All members of the family Cervidae and hybrids, including deer, elk, moose, caribou, reindeer, and related species.

*Chronic wasting disease (CWD).* A transmissible spongiform encephalopathy of cervids. Clinical signs in affected animals include, but are not limited to, loss of body condition, behavioral changes, excessive salivation, increased drinking and urination, depression, and eventual death.

*CWD-exposed animal.* An animal that is part of a CWD-positive herd, or that has been exposed to a CWD-positive animal or contaminated premises within the previous 5 years.

*CWD Herd Certification Program.* The Chronic Wasting Disease Herd Certification Program established in part 55 of this chapter.

*CWD-positive animal.* An animal that has had a diagnosis of CWD confirmed by means of two official CWD tests as defined in §55.1 of this chapter.

*CWD-suspect animal.* An animal for which an APHIS employee or State representative has determined that unofficial CWD test results, laboratory evidence, or clinical signs suggest a diagnosis of CWD.

*Deer, elk, and moose.* All animals in the genera *Odocoileus*, *Cervus*, and *Alces* and their hybrids.

*Farmed or captive.* Privately or publicly maintained or held for economic

or other purposes within a perimeter fence or confined area, or captured from a free-ranging population for interstate movement and release.

*Official animal identification.* A device or means of animal identification approved for use under this part by APHIS to uniquely identify individual animals. Examples of approved official animal identification devices are listed in §55.25 of this chapter. The official animal identification must include a nationally unique animal identification number that adheres to one of the following numbering systems:

- (1) National Uniform Eartagging System.
- (2) Animal identification number (AIN).
- (3) Premises-based number system. The premises-based number system combines an official premises identification number (PIN), as defined in this section, with a producer's livestock production numbering system to provide a unique identification number. The PIN and the production number must both appear on the official tag.
- (4) Any other numbering system approved by the Administrator for the identification of animals in commerce.

*Premises identification number (PIN).* A unique number assigned by a State or Federal animal health authority to a premises that is, in the judgment of the State or Federal animal health authority, a geographically distinct location from other livestock production units. The premises identification number is associated with an address or legal land description and may be used in conjunction with a producer's own livestock production numbering system to provide a unique identification number for an animal. The premises identification number may consist of:

- (1) The State's two-letter postal abbreviation followed by the premises' assigned number; or
- (2) A seven-character alphanumeric code, with the right-most character being a check digit. The check digit number is based upon the ISO 7064 Mod 36/37 check digit algorithm.

### §81.2 Identification of deer, elk, and moose in interstate commerce.

Each animal required to be identified by this subpart must have at least two forms of animal identification attached to the animal. The means of animal identification must be approved for this use by APHIS, and must be an electronic implant, flank tattoo, ear tattoo, tamper-resistant ear tag, or other device approved by APHIS. One of the animal identifications must be an official animal identification as defined in this part, with a nationally unique animal identification number that is linked to that animal in the CWD National Database. The second animal identification must be unique for the individual animal within the herd and also must be linked to that animal and herd in the CWD National Database.

(Approved by the Office of Management and Budget under control number 0579-0237)

### §81.3 General restrictions.

No farmed or captive deer, elk, or moose may be moved interstate unless it meets the requirements of this section.

(a) *Animals in the CWD Herd Certification Program.* The captive deer, elk, or moose is:

(1) Enrolled in the CWD Herd Certification Program and:

(i) If the movement occurs between October 19, 2006 and January 19, 2009, the herd has achieved at least Second Year status in accordance with §55.24 of this chapter;

(ii) If the movement occurs between January 19, 2009 and January 19, 2010, the herd has achieved at least Third Year status in accordance with §55.24 of this chapter;

(iii) If the movement occurs between January 19, 2010 and January 19, 2011, the herd has achieved at least Fourth Year status in accordance with §55.24 of this chapter;

(iv) If the movement occurs between January 19, 2011 and January 19, 2012, the herd has achieved at least Fifth Year status in accordance with §55.24 of this chapter;

(v) If the movement occurs after January 19, 2012, the herd has achieved